

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chang et al. Docket: Y0R920010287US1 (8728-514)
Serial No.: 09/925,397 Group Art Unit: 2162
Filed: August 9, 2001 Examiner: Ehichioya, Fred I.
For: **METHOD FOR INDICATING CONSUMER DEMAND**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT UNDER §1.132

Examiner:

This is in response to the Final Office Action dated July 3, 2008 and is accompanied by an Response under 37 CFR §1.116.

The undersigned do hereby declare:

1. Under 37 CFR 1.132, the inventorship of the application is correct.

2. The reference, Vitter (Natsev et al.) "Constrained Querying of Multimedia Databases: Issues and Approaches," Proceedings of SPIE Electronic Imaging 2001: Storage and Retrieval for Image and Video Databases, San Jose, CA, January 2001 discloses subject matter derived from the applicant rather than invented by the author of the published application notwithstanding the authorship of the published application (see *In re Katz*, 687 F.2d 450, 455, 215 USPQ 14, 18 (CCPA 1982)).

3. Jeffrey S. Vitter's role in the publication was limited to that of a faculty adviser of Mr. Natsev at the Department of Computer Science, Duke University.

4. The methods and apparatus claimed in the application are solely the product of the named inventors.

5. Under such circumstances the Examiner is respectfully urged to withdraw the reference from consideration as prior art.

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Dated:

Yuan-Chi Chang

9-16-08

Chung-Sheng Li

Dated:

Chung-Sheng Li

9-19-08

Apostol Ivanov Natsev

Dated:

Apostol Ivanov Natsev

9-16-08

John R. Smith

Dated:

John R. Smith

9-17-08